

Amendments to the Claims:

This listing of claims will replace all prior versions, and listings, of claims in the application:

Listing of Claims:

1. (Currently Amended) A nail polish applicator comprising:
a container extending along a longitudinal axis;
a nail polish under pressure within the container;
a nozzle rigidly coupled to the container and having an outlet opening; and
an actuator configured to selectively dispense the nail polish through the nozzle, wherein the nozzle has a longitudinal axis, wherein the outlet opening lies substantially along the longitudinal axis, the longitudinal axis of the nozzle being substantially parallel or coextensive with the longitudinal axis of container.
2. (Original) The applicator of claim 1, wherein the actuator includes a trigger movable in a direction towards the longitudinal axis of the container.
3. (Original) The applicator of claim 1, wherein the actuator includes a trigger proximate the nozzle.
4. (Currently Amended) The applicator of claim 1, wherein the applicator includes a housing at least partially about the container, wherein the housing extends at least a majority of the length of the container along the longitudinal axis.
5. (Original) The applicator of claim 4, wherein the housing includes a plurality of sections fastened together about the container.
6. (Original) The applicator of claim 4, wherein the housing supports the actuator.
7. (Previously Presented) The applicator of claim 4, wherein the actuator includes a trigger pivotally coupled to the housing about a pivot axis on a first side of the

longitudinal axis of the nozzle, wherein the trigger has a depressment surface on a second opposite side of the longitudinal axis of the nozzle.

8. (Original) The applicator of claim 4, wherein the housing has a first outer exterior surface and wherein the actuator includes a trigger having a depressment surface substantially flush with the outer surface of the housing.

9. (Currently Amended) The applicator of claim 4, wherein the housing has a longitudinal length greater than the container, and wherein the housing abuts and completely covers an axial end of the container opposite the nozzle, and wherein the container remains stationary inside the housing when actuated.

10. (Original) The applicator of claim 4, wherein the housing has a frusto-conical nose proximate the nozzle.

11. (Currently Amended) The applicator of claim 1 including a cap configured to removably cover the nozzle, and wherein the cap comprises:

a first end configured to receive the nozzle; and

a second end that completely covers the outlet opening of the nozzle such that were nail polish to leak or otherwise eject from the outlet opening, the cap would contain the ejected nail polish.

12. (Original) The applicator of claim 1 wherein the actuator includes a trigger and wherein the applicator further include a cap configured to removably cover the trigger.

13. (Currently Amended) The applicator of claim 12, wherein the cap removably covers the nozzle, and wherein the cap comprises:

a first end configured to receive the nozzle; and

a second end that completely covers the outlet opening of the nozzle such that were nail polish to leak or otherwise eject from the outlet opening, the cap would contain the ejected nail polish.

14. (Original) The applicator of claim 4, wherein the nozzle has a dispensing opening and wherein the housing tapers toward the opening.

15. (Currently Amended) The applicator of claim 1, wherein the container has an outer surface configured to be manipulated in a manner similar to that of a pen between a thumb, a middle finger, and an index finger, and wherein the index finger may engage the actuator when manipulating the outer surface in the pen-like manner.

16. (Original) The applicator of claim 1, wherein the container has a maximum outer diameter of 1.0 inch proximate the actuator.

17. (Original) The applicator of claim 1, wherein the actuator is disposed at least partially between the container and the nozzle.

18. (Previously Presented) The applicator of claim 1, wherein the actuator is no greater than 1.5 inches from the outlet in a direction along the longitudinal axis of the container.

19. (Previously Presented) The applicator of claim 1 including a propellant within the container.

20. (Previously Presented) The applicator of claim 1, wherein the propellant comprises a material distinct from the nail polish.

21. (Previously Presented) The applicator of claim 1 including a dip tube extending from the nozzle into an interior of the container.

22. (Currently Amended) The applicator of claim 21, wherein the container has an interior side surface extending along the longitudinal axis of the container and wherein the tube permanently extends proximate to the side surface.

23. (Previously Presented) The applicator of claim 21, wherein the tube has a plurality of openings.

24. (Previously Presented) The applicator of claim 21 including an aerosol valve assembly between the nozzle and the tube.

25. (Previously Presented) The applicator of claim 24, wherein the valve assembly includes a stem and wherein the valve assembly actuates to an open state in response to movement of the stem.

26. (Previously Presented) The applicator of claim 25, wherein the valve assembly actuates to the open state in response to movement of the stem along the longitudinal axis of the container.

27. (Withdrawn) The applicator of claim 21 including a funnel surface tapering towards an inlet of the tube.

28. (Previously Presented) The applicator of claim 1 including an aerosol valve assembly between the nozzle and an interior of the container.

29. (Previously Presented) The applicator of claim 28, wherein the valve assembly includes a stem and wherein the valve assembly actuates to an open state in response to movement of the stem.

30. (Previously Presented) The applicator of claim 29, wherein the valve assembly actuates to the open state in response to movement of the stem along the longitudinal axis of the container.

31. (Previously Presented) The applicator of claim 1 including a housing having a frusto-conical portion about the nozzle.

32. (Previously Presented) The applicator of claim 31, wherein the actuator includes a trigger having a depressment surface along the frusto-conical portion.

33. (Previously Presented) The applicator of claim 1 including a housing at least partially about the container and extending along the longitudinal axis of the container, wherein the actuator includes a trigger having a depressment surface, the depressment surface not extending radially outwardly beyond the housing.

34. (Previously Presented) The applicator of claim 1, wherein the actuator has a forward most portion and wherein the nozzle extends forwardly beyond the forward most portion.

35. (Previously Presented) The applicator of claim 1 including a housing at least partially about the container, the housing extending along the longitudinal axis of the container and having a forwardly extending frusto-conical portion terminating at a tip, wherein the actuator has a forward most portion rearward of the tip.

36. (Previously Presented) The applicator of claim 1 including a housing completely enclosing the container and extending along a longitudinal axis of the container.

37. (Currently Amended) A nail polish applicator comprising:
a propellant container extending along a longitudinal axis;
a nail polish under pressure within the container;
a nozzle ~~coupled~~ fixedly secured adjacent to the container and having an outlet;
an actuator configured to selectively dispense the nail polish through the nozzle, wherein the nozzle is configured to dispense the nail polish along a dispensing axis substantially parallel or coextensive with the longitudinal axis of container; and
a housing at least partially about the container extending along the longitudinal axis of the container at least the majority of the length of the container, wherein the housing has a frusto-conical nose proximate the nozzle.

Please add Claims 38-39 as follows:

38. (New) The applicator of claim 37 wherein the housing further comprises:
a first portion distant the nozzle configured to rest against the snuff box of a human hand; and
a second portion near the nozzle configured to be contacted by and between a middle finger of the human hand, wherein the housing and actuator are further configured such that an index finger of the human hand may rest on and engage the actuator.

39. (New) The applicator of claim 1 wherein the housing further comprises:
- a first portion distant the nozzle configured to rest against the snuff box of a human hand; and
 - a second portion near the nozzle configured to be contacted by and between a middle finger of the human hand, wherein the housing and the actuator are further configured such that an index finger of the human hand may rest on and engage the actuator.